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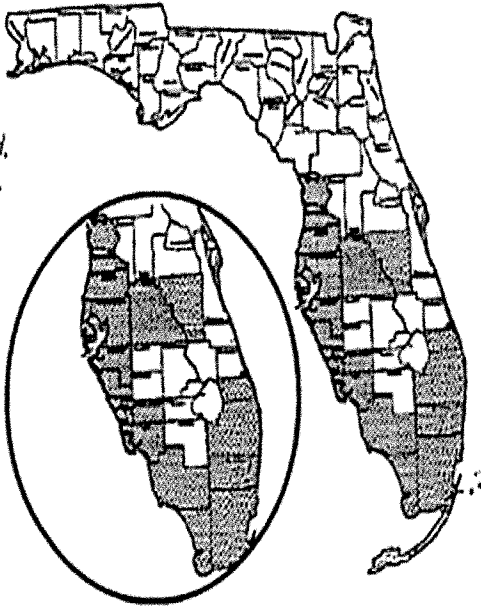


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1921-2008

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Palmetto Lakes Therapy & Rehabilitation Center, Inc. d/b/a Lakes Rehab (a/a/o Mazola, Ada) v. United Automobile Insurance Company. 26 Fla. L. Weekly Supp. 150a (11th Judicial Circuit in and for Miami-Dade County, March 28, 2018) Insurance -
- Personal injury protection -- Coverage -- Medical expenses -- Reasonableness of charges -- Provider met its burden to set forth prima facie showing that its charges were reasonable through the affidavit of individual who owned the clinic and also provided care and treatment to insured -- Insurer failed to present competent, admissible evidence rebutting this prima facie showing.

State Farm Mutual Automobile Insurance Company v. MRI Associates of Tampa, Inc., d/b/a Park Place MRI. 43 Fla. L. Weekly D1149a (2nd DCA May 18, 2018) Personal injury protection -

- Limitation of reimbursement Question certified: Does the 2013 PIP statute as amended permit an insurer to conduct a fact-dependent calculation of reasonable charges under section 627.736(5)(a) while allowing the insurer to limit its payment in accordance with the schedule of maximum charges under section 627.736(5)(a)(1)?

State Farm Mutual Automobile Insurance Company v. Care Wellness Center, LLC (a/a/o Virginia Bardon-Diaz). 43 Fla. L. Weekly D573a (4th DCA March 14, 2018) PIP insurer is not required to apply a policy deductible to the total amount of a provider's invoices to an insured prior to applying any fee schedule found in section 627.736 -
- Conflict certified

Progressive Select Insurance Company v. Florida Hospital Medical Center a/a/o Jose Sanchez. 43 Fla. L. Weekly D1588d (5th DCA July 13, 2018) Personal injury protection -- Deductible -- Statute requires that deductible be applied to 100% of expenses and losses before reducing amount paid pursuant to statutory reimbursement limitation -- Conflict certified -- Question certified: When calculating the amount of PIP benefits due an insured, does section 627.739(2) require that the deductible be subtracted from the total amount of medical charges before applying the reimbursement limitation under section 627.736(5)(a)1.b., or must the reimbursement limitation be applied first and the deductible subtracted from the remaining amount?

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